

BRIAN SANDOVAL
Governor

KELLY WOOLDRIDGE
Administrator

STATE OF NEVADA



ROSS ARMSTRONG
Deputy Administrator

RICHARD WHITLEY MS
Director
Department of Health and Human Services

LESLIE BITTLESTON
Juvenile Justice Programs Chief

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF CHILD AND FAMILY SERVICES
NEVADA STATE JUVENILE JUSTICE COMMISSION**

4126 Technology Way, 3rd Floor

Carson City, NV 89706

Telephone: (775) 684-4437 • Fax: (775) 684-4456

**NEVADA STATE JUVENILE JUSTICE COMMISSION
PLANNING AND DEVELOPMENT COMMITTEE MEETING
MINUTES
July 21, 2016**

DRAFT

Call to Order

The meeting was called to order by Chairman Coppa at 10:06 a.m.

Roll Call – Dan Coppa

Members Present: Dan Coppa, MariaJose Taibo-Vega

Members Present by Phone: Ross Armstrong, Michael Beam, Jack Martin

Members Excused: Elizabeth Florez, Steve McBride, Paula Smith, Kim Wanker

Staff Present: Chief Leslie Bittleston

Staff Present by Phone: Tirzah Fagan (Deputy Attorney General), J. Alice Mueller

Public Comment and Discussion

There were no public comments.

Introduction of the new PREA Coordinator– Leslie Bittleston

Chief Bittleston introduced the new Prison Rape Elimination Act (PREA) Coordinator, Jennifer Simeo, to the committee. Ms. Simeo has a bachelor's degree in social psychology and a master's degree in psychology. She currently lives in Reno but is doing a 30 day training in Carson City, Nevada. While working eight years with the state, she has gained very good case management experience and has worked with youth populations including those with developmental disabilities and mental illness. The committee welcomed Ms. Simeo.

Review of Official Minutes from April 14th, 18th, and June 30, 2016

With no quorum, the review and approval of the April 14th, 28th and June 30, 2016 minutes will be considered at the next Planning and Development meeting.

DRAFT

Community Corrections Partnership Block Grant– Leslie Bittleston

The State Fiscal Year (SFY) 2016 and 2017 Community Corrections Partnership Block Grant Summary was sent out to members of the committee. Although previously called Medicaid Room and Board, as it concerns state general funds which go directly to the counties, it is now referred to as the Community Corrections Partnership Block Grant.

As could be seen in the summary, not all counties have reported, with some still having not used the funds. Previously, many of the smaller counties would request the entire amount in the first quarter, then reported its use over the course of the year. Some of these counties have not used any funds for a couple of years, and have now accumulated several thousand dollars. In the summary, this is shown with a zero in the youth served column.

The summary document has also changed. Instead of breaking out mental health or substance abuse reporting, which has been extremely varied from the counties, it now shows successful or non-successful treatments. The document is a work in progress, and will change as more discussion on reporting occurs.

A draft policy has been created along with a revised quarterly report form with instructions which will be presented at the August Nevada Association of Juvenile Justice Administrators (NAJJA) meeting. This will allow the administrators a chance to respond to and discuss the proposed policy.

Part of what this policy says, is that a maximum of 50% of the award will be provided the first quarter. The purpose is to encourage more complete reporting from the counties. Funds should not be requested unless there is a need. Any amounts not used by the end of the fiscal year, should be returned.

The second page of the summary showed SFY 2017. At this time all that is reported is the amounts requested from the various counties. Many who are still using previous funds, have not made requests. Clark County requested one quarter of their amount with Carson City, Lincoln, Lyon and Storey Counties requesting the entire amount but provided with 50%. Those whose requests were not fully funded have had the new policy explained to them.

The committee asked if those jurisdictions with unspent funds would be given a deadline for its use. Those counties currently having unexpended funds from previous fiscal years which have had their budgets closed, will not be of concern. This policy is to effect all newly distributed monies. Funds not used will go back to the state general funds at the end of the budget cycle.

Questions were also asked about the successful/non-successful column. At this time, there is no consistent measure of success between the counties as each county is doing different programs. Some do substance or mental health treatments, restitution, or prevention programs. Success is not defined in the instructions, it is left to the jurisdictions. What can be determined now, is that it means a youth has completed the program as opposed to leaving it.

SB107 Room Confinement– Leslie Bittleston

SB107 Summary Document dated July 21, 2016 page one deals with room confinement in correctional facilities. For June 2016, there was a large jump in use due to correcting erroneous reporting from Summit View. Under their Positive Behavioral Interventions and Supports (PBIS) program, reporting was not required for room restrictions less than 14 minutes and 58 seconds. SB107 does require reporting for this time period, so their numbers went from one to 88 incidents. The good thing is, all of these were well under an hour. The committee

DRAFT

requested that when presented to the full Commission in August, that this increase be noted and explained with an asterisk.

On page two, with the Youth Detention Centers, there is a large jump downwards. This is a very positive development. On page three, two full years can be presented, so the partial year, 2014 was removed. Comparing the youth detention and correction values for 2015 with 2016, it can be seen that overall there has been only slight changes. The amount of time spent in confinement for the two groups, remains consistent.

Commission Recognition for Years of Service– Dan Coppa

A series of drafts for the recognition certificates were presented to the committee. The choices were narrowed down to one, which with slight changes, would be presented to the Full Commission in August. This would be a show and tell type display, having the certificate in an appropriate blue folder.

A couple of printing companies had been approached about the certificate with varying costs. Similarly, differing quality and costs were available for the blue folders. The main idea, is to keep it less than the cost of a wood plaque. It was requested that the updated prototype be sent to some members of the committee before the August meeting, to ensure that the additions/changes were as requested. Chief Bittleston, Steve McBride and Alice Mueller were thanked for their work on the project.

Commission Reimbursement Time Frame– Dan Coppa

The Division of Child and Family Services Travel Policy was reviewed by the members of the committee as was the State Administrative Manual on Travel (0220) and Travel Expense Reimbursement Claims (TE). There is to be a motion for approval at the Full Commission meeting in August. Once approved, it would be placed on appropriate letterhead and then placed in the Commission's Travel Guidelines found in their orientation manual.

Specifically what would be highlighted about the TE, was that those traveling on Commission business would have one month after completion of travel, to file for their reimbursement. One month is to be seen as 30 days. Any exceptional circumstances would be independently reviewed. Deputy Attorney General Tirzah Fagan had read over the travel documents and found them to be acceptable.

2015 Annual Governor's Report– Dan Coppa

A decision was made to continue using the same format for the Governor's Report as had been used in the past two years. Noted changes would be forwarded to the Juvenile Justice Programs Office so that the final report could be presented for approval at the November Full Commission meeting. The final report is due to the Governor by January 2017.

Chief Bittleston pointed out that two parts, the SB107 and Medicaid Room and Board sections could be replaced by summary documents. Detailed information would be provided if requested. This change would allow the document to be shortened by about half. The committee agreed, and recommended using summary documents when available.

Compliance – Leslie Bittleston

Compliance is a large component of the Federal Formula grant and is one of the four core requirements. This year, there were two contractors to assist with the visits to jails, lock-ups and courthouses. As a result, 47.5% of the compliance universe had site inspections for 2015.

DRAFT

The Compliance Summary this year goes from January 1, 2015 to September 30, 2015. This is a nine month period due to changes made in the reporting dates by the Office of Juvenile Justice and Delinquency Prevention (OJJDP). Compliance information from October 1st, 2015 to September 30, 2016 will be due January 31, 2017.

In reviewing the data both self-reported and from the site reviews, it was determined that most of the facilities are in compliance. Many of the adult jails have policies that divert youth from entering unless certified as adults. Policies divert youth into conference rooms or offices pending transport to juvenile centers or parent/guardian custody. Where youth are certified as adults, they are physically separated from the adult population. With courthouses, there are a number of ways for separating youth from adults. Some use back entrances, hold them in jury rooms, or even have separate days for court hearings.

Attitude continues to be an issue in that, on site compliance reviews are not exactly welcomed. Something more is needed than a copy of Governor Gibbon's 2008 executive order. Discussion centered on what could be done to make the executive order more pertinent. Some states like Pennsylvania have put it in their Administrative Codes. A request was made to get the wording from those states for review. The Nevada Administrative Code (NAC) is currently being used to clarify youth restraints, so this could undergo a similar type of procedure.

The Status Offense Summary was presented which showed 25 status offense violations. Nine of these violations were for valid court orders, so really there were a total of 14 violations. Some may not actually be violations, but situations where a youth was detained for a status offense and then discovered to have a pending warrant or perhaps a felony issue that was discovered. This could then result in their receiving probation or house arrest.

For 2015, there were no sight and sound violations. There were 8 violations of jail removal where five were released within six hours and two were held from 24 to 96 hours. Of those eight the charges range from murder, prostitution, drugs, larceny, driving under the influence, driving without a license and assault and battery.

Chief Bittleston was thanked for all of her work and invited to present this summary at the Full Commission meeting in August. It was requested that a cover letter be provided, which would cover the basics of OJJDP changing the reporting dates and a general outline of what the summary contains.

A draft letter was presented for review by the committee. This addressed some changes made by OJJDP which they are attempting to enforce. Reports must be made on any youth who feels detained. This brings up the difficulty of determining what a youth feels. Would they feel detained during transport or while waiting for their parent/guardian to pick them up. The language used by OJJDP refers to how a reasonable person would feel. Would they feel free to leave or not. The problem is of course, that a child is not a reasonable adult. They may not see their situation as one where they are free to leave.

Page one deals with some concerns Chief Bittleston had, while page two brings up specific concerns Chief Salla had that were addressed in a letter sent in 2014. An answer to her original letter has yet to be received. Other states have written comparable letters, and it was felt that Nevada should lend its support to those who were also questioning the policy. It was requested that Tirzah Fagan review the letter. There was also a request to contact Attorney General Danny Bogden and find out how federal agents deal with the issue. There was some question if the Full Commission should also approve the letter.

New Business

There was no new business at this time.

Comments from Public

There were no comments from the public at this time.

Set Time, Date and Agenda for Next Meeting

The next Committee Meeting is scheduled for Thursday September 22, 2016 at 10:00 am. This will be a video and teleconference with the following items on the agenda.

Agenda:

Community Partnership Block Grant

SB107 Room Confinement

2015 Annual Governor's Report

Compliance

Adjourn

The meeting was adjourned at 10:48 a.m. by Chairman Coppa.